

JUL 08 2005

Attorney's Docket No.: 12406-062001  
Client's Ref. No.: P2003,0347 US E

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**OFFICIAL FAX NO: (703) 872-9306**

Number of pages including this page 3

Applicant : Wittmann et al.  
Serial No. : 10/816,718  
Filed : April 2, 2004

Art Unit : 2811  
Examiner :

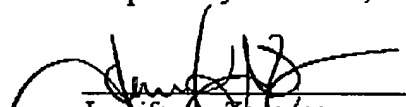
Title : FLEXIBLE MULTILAYER PACKAGING MATERIAL AND ELECTRONIC  
DEVICES WITH THE PACKAGING MATERIAL

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is a RESPONSE TO  
RESTRICTION REQUIREMENT, faxed this 8<sup>th</sup> day of July, 2005, to the United States Patent  
and Trademark Office.

Respectfully submitted,

Date: July 8, 2005

  
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Attorney's Docket No.: 12406-062001 / P2003,0347 US E

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wittmann et al.                      Art Unit : 2814  
Serial No. : 10/816,718                      Examiner : Thao X. Le  
Filed : April 2, 2004  
Title : FLEXIBLE MULTILAYER PACKAGING MATERIAL AND ELECTRONIC  
DEVICES WITH THE PACKAGING MATERIAL

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Responsive to the action mailed June 20, 2005, applicant elects Group C. The election is made with traverse.

The applicant notes that claims are never species (Manual of Patent Examining Procedure Section 806.04(e)). Species are always specifically different embodiments described in the specification (*id.*). The restriction requirement appears to require an election of claims rather than species.

Restriction also does not appear to be proper, because claim 1 appears to be a subcombination of claim 17. Additionally, claim 17 appears to be generic to claim 13.

Further, a proper restriction requires that the Examiner provide reasons and/or examples to support the reasons for why restriction is proper (Manual of Patent Examining Procedure Section 803). No reason has been presented for restricting the claims of the pending application.

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

July 8, 2005

Date of Transmission

Signature

Carlos A. Brasil

Typed or Printed Name of Person Signing Certificate

Applicant : Wittmann et al.  
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Page : 2 of 2

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E

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

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